

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 14. Motion for Extension of Time

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form14instructions.pdf>

9th Cir. Case Number(s)

Case Name

Requesting Party Name(s)

I am: ☐ The party requesting the extension.
☒ Counsel for the party or parties requesting the extension.

I request an extension of time to file a:

- ☐ Brief (*you **must** also complete the Declaration on page 3*)
- ☐ Motion to proceed in forma pauperis
- ☐ Motion for a certificate of appealability
- ☐ Response/opposition to a pending motion
- ☒ Reply to a response/opposition to a pending motion
- ☐ Certified Administrative Record
- ☐ Response to court order dated
- ☐ Other (*you **must** describe the document*)

The requested new due date is:

I request the extension of time because (**cannot be left blank**):
(attach additional pages if necessary)

Please see attached.

Signature Date
(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Recitals in criminal and immigration cases pursuant to Circuit Rule 27-8

Complete this section for criminal or immigration cases.

Previous requests for extension of time to file the document, including any request for a Streamlined Extension of Time under Circuit Rule 31-2.2(a) (*select one*):

- ☒ I have **NOT** filed a previous request to extend time to file the document.
- ☐ I have previously requested an extension of time to file the document.

This motion is my first request.
(Examples: first, second)

Bail/detention status (*select one*):

- ☐ The defendant is incarcerated. The projected release date is: .
- ☐ The petitioner is detained.
- ☐ The defendant/petitioner in this criminal/immigration case is at liberty.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

Declaration in support of extension to file brief under Circuit Rule 31-2.2(b)*Complete this section if you are requesting an extension of time to file a brief.*

1. I request an extension of time to file the RESPONSE brief.

(Examples: opening, answering, reply, first cross-appeal)

2. The brief's current due date is: 1/27/23

3. The brief's first due date was: 1/27/23

4. A more detailed explanation of why the extension of time to file the brief is necessary: *(Under Circuit Rule 31-2.2(b), a request for extension of time to file a brief must be "supported by a showing of diligence and substantial need" and a conclusory statement as to the press of business does not constitute such a showing. Attach additional pages if necessary.)*

SEE ATTACH

5. The position of the other party/parties regarding this request is:

☒ Unopposed.

☐ Opposed by *(name of party/parties opposing this motion):*

☐ Unknown. I am unable to verify the position of the other party/parties because:

6. ☒ The court reporter is not in default with regard to any designated transcripts.

If the court reporter is in default, please explain:

7. ☒ I have exercised diligence and I will file the brief within the time requested.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

[Signature]

Date

1/25/23

(use "s/[typed name]" to sign electronically-filed documents)

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Appellant's counsel was scheduled to commence a two-week jury trial on January 23, 2023 at Department 26 of the Clark County District Court. Due to trial preparation appellant's counsel was unable to prepare a response to appellee's motion to seal. The case set for trial settled on January 20, 2023. Due to a back log of work accumulating while preparing for trial, appellant's counsel will not be able to commence a review and draft a response until the end of this week (1/23/23-1/27/23) For this reason an extension for the filing of a response is requesting until February 6, 2023. Appellee's counsel has no objection to continuance of the filing of the response. See Attached

Brittany Widmayer

From: Keely P. Chippoletti <keely@christiansenlaw.com>
Sent: Monday, January 23, 2023 1:31 PM
To: Brittany Widmayer; Les Stovall
Cc: Peter Christiansen; Jonathan Crain; Kendelea Works
Subject: CR adv Mayorga

Les,

We have no objection to your request for an additional 10 days to file a response to the motion to maintain seal, which makes it due 2/6.

Keely Perdue Chippoletti
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